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SUBJECT: SA PERMIT FOR ZIMBABWEANS (PART 2)

Summary

¶1. There are currently more questions than answers surrounding the SAG's implementation of a temporary permit for Zimbabwean migrants to remain in South Africa (ref A). The Minister of Home Affairs' (DHA) April 3 announcement of the new policy was a surprise, albeit a welcome one, to the rights community and apparently even to her own department. On April 9, DHA officials discussed the permit's rollout with UNHCR, IOM, and rights NGOs in a day-long workshop. The frank and open exchange helped DHA to identify its own planning gaps vis-a-vis issuance logistics and criteria, interdependencies with police and other SAG departments, communications with the public and migrants, and implications for long-range immigration policies. End Summary.

SAG & NGOs Identify Planning Variables

¶2. (SBU) On April 9, refoff joined about 20 representatives of UNHCR, IOM, and rights NGOs in a full-day workshop with DHA officials to discuss the implementation of the newly announced temporary permit for Zimbabweans in South Africa. Hosted by Wits University's Forced Migration Studies Program (FMSP) and local NGO Lawyers for Human Rights (LHR), the invitation-only session was closed to the press and public, enabling candid collaboration. Modiri Matthews, Chief Director of the Home Affairs Inspectorate, and Burton Joseph, Director of Immigration Policy, explained what had been decided thus far, candidly admitted what was still uncertain, and freely welcomed suggestions to guide their planning. The group surfaced more questions than answers, but the session helped DHA identify areas for further clarification.

Issuance Logistics

- Timetable: no one knew when rollout could begin, based on planning and logistical hurdles; nor was it clear how long Zimbabweans would be in limbo between the past and future regimes. Would existing asylum-seekers' permits be honored in the meantime?

- Locations: Matthews and Joseph were unsure of issuance channels, thinking perhaps existing DHA centers would be used. UNHCR strongly advocated for separation from the asylum streams, to avoid competition between crowds. (Note: in April 13 meetings with a visiting USG StaffDel, IOM told us DHA is considering using IOM's facility at Beitbridge, on the Zimbabwean side of the border, along with other

"satellite" permit issuance centers throughout Zimbabwe, in an almost consular-style processing.)

Screening Criteria

- Nationality test: since all Zimbabweans are eligible, the card is essentially a confirmation of nationality, but it is unclear how DHA will determine this when most migrants lack other ID's. Perhaps Zimbabweans will be recruited to conduct screening, based on language and local knowledge? How will Malawians long resident in Zimbabwe be discerned?

- Data capture: what information will be asked of applicants? Will this include bio-data like fingerprints? What are the fraud prevention measures, given DHA's acknowledged problems of internal corruption? Will DHA's data bases be networked nationally, in case the cards are lost?

Interagency Effects

- Deportations: LHR noted that deportations took place from Musina even the day after DHA's announcement. (They were still ongoing on April 16, according to IOM's officer at the border.) A police official explained that his officers could only change operating procedures upon receipt of formal instruction from the Minister.

- Interagency consultation: NGOs advised DHA to coordinate

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urgently with other SAG departments, to assess and plan for possible implications in the areas of labor, health, education, and children's services.

Public Relations

- Communications: workshop participants stressed the importance of clear communications about the program, with messages targeted to the South African public (particularly to avoid fanning xenophobia), to prospective employers (on document format, and work entitlements), and to Zimbabwean migrant community itself (to defuse suspicion).

- Formalization of the policy: beyond a press statement by the Minister, there is nothing more formal committing the government to the new permit regime. Would any more authoritative Act, Decree, or Order be forthcoming in writing?

Policy Implications

- Scope creep: although the card is exclusive to Zimbabweans, it is for political purposes to be named as a permit for nationals of the 14-state Southern African Development Community (SADC). When, if ever, will other nationals be able to apply? Won't other migrants also petition to be included?

- Long-range planning: how does the stopgap solution of a temporary permit transition to a longer-range strategy? How does this program dovetail into discussions for eventual freedom of movement within SADC? As FMSP's Tara Polzer stressed, termination of the program could easily be politicized, as it was based on subjective criteria of normalization in Zimbabwe, and hence it was crucial to define an end-game strategy clearly from the start. Excessive emphasis on the "temporary" nature of the policy could create public expectations of mass deportations at the end. Instead, in FMSP's view, the program should be positioned as a first step toward long-term SADC solidarity and regional integration.

